

## § 52.63

the requirements for this area to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standard for as long as this area continues to meet the 2006 24-hour PM<sub>2.5</sub> NAAQS.

(b) *Determination of Attaining Data.* EPA has determined, as of May 31, 2011, the Chattanooga, Tennessee, nonattainment area has attaining data for the 1997 annual PM<sub>2.5</sub> NAAQS. This determination, in accordance with 40 CFR 52.1004(c), suspends the requirements for this area to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standard for as long as this area continues to meet the 1997 annual PM<sub>2.5</sub> NAAQS.

(c) *Determination of attaining data.* EPA has determined, as of June 29, 2011, the Birmingham, Alabama, nonattainment area has attaining data for the 1997 annual PM<sub>2.5</sub> NAAQS. This determination, in accordance with 40 CFR 52.1004(c), suspends the requirements for this area to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standard for as long as this area continues to meet the 1997 annual PM<sub>2.5</sub> NAAQS.

(d) *Disapproval.* EPA is disapproving portions of Alabama's Infrastructure SIP for the 2006 24-hour PM<sub>2.5</sub> NAAQS addressing interstate transport, specifically with respect to section 110(a)(2)(D)(i)(I).

[55 FR 5846, Feb. 20, 1990, as amended at 75 FR 57187, Sept. 20, 2010; 76 FR 31241, May 31, 2011; 76 FR 38024, June 29, 2011; 76 FR 43136, July 20, 2011]

## § 52.63 PM<sub>10</sub> State Implementation Plan development in group II areas.

On March 15, 1989, the State submitted a committal SIP for the cities of Leeds and North Birmingham in Jefferson County. The committal SIP contains all the requirements identified in

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the July 1, 1987, promulgation of the SIP requirements for PM<sub>10</sub> at 52 FR 24681. The SIP commits the State to submit an emissions inventory, continue to monitor for PM<sub>10</sub>, report data and to submit a full SIP if a violation of the PM<sub>10</sub> and National Ambient Air Quality Standards is detected.

[56 FR 32514, July 17, 1991]

## § 52.64 Determination of attainment.

Based upon EPA's review of the air quality data for the 3-year period 2007–2009, EPA determined that the Chattanooga, Alabama-Georgia-Tennessee PM<sub>2.5</sub> nonattainment area attained the 1997 annual PM<sub>2.5</sub> NAAQS by the applicable attainment date of April 5, 2010. Therefore, EPA has met the requirement pursuant to CAA section 179(c) to determine, based on the Area's air quality as of the attainment date, whether the Area attained the standard. EPA also determined that the Chattanooga, Alabama-Georgia-Tennessee PM<sub>2.5</sub> nonattainment area is not subject to the consequences of failing to attain pursuant to section 179(d).

[76 FR 55575, Sept. 8, 2011]

## § 52.65 Control Strategy: Nitrogen oxides.

On October 22, 1990, the Alabama Department of Environmental Management submitted a revision to Chapter 2, Control Strategy, by adding subsection 4.2.3. This revision addressed the strategy Alabama is using to implement provisions of the Prevention of Significant Deterioration regulations for nitrogen oxides.

[57 FR 24370, June 9, 1992]

## § 52.66 Control Strategy: Ozone.

(a) The redesignation request submitted by the State of Alabama, on March 16, 1995 for the Birmingham marginal ozone nonattainment area from nonattainment to attainment was disapproved on September 19, 1997.

(b) The State of Alabama is required to submit an attainment demonstration SIP for the Birmingham 1-hour ozone nonattainment area by April 27, 2001. For purposes of the SIP revision required by this section, EPA may make a finding as applicable under section 179(a)(1)–(4) of the CAA, 42 U.S.C.